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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

6 + 2  
REFERENCES

Application Number

09/942,431

Filing Date

August 29, 2001

First Named Inventor

Nathaniel MILTON

Group Art Unit

1614

Examiner Name

To Be Assigned

Attorney Docket No.

342312003601

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Assignment Papers  
(for an Application)☐ After Allowance Communication to  
Group☐ Fee Attached☐ Drawing(s)☐ Appeal Communication to Board of  
Appeals and Interferences☐ Amendment / Reply☐ Licensing-related Papers☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ After Final☐ Petition☐ Proprietary Information☐ Affidavits/declarations☐ Petition to Convert to a  
Provisional Application☐ Status Letter☐ Extension of Time Request☐ Power of Attorney, Revocation  
Change of Correspondence Address☒ Other Enclosure(s) (please identify  
below):☐ Express Abandonment Request☐ Terminal DisclaimerForm PTO-1449 + copy (2 Pages)  
2 References  
Return postcard☒ Information Disclosure Statement  
(3 Pages)☐ Request for Refund☐ Certified Copy of Priority Document(s)☐ CD, Number of CD(s) \_\_\_\_\_☐ Response to Missing Parts/  
Incomplete Application

Remarks

☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**Firm  
or

Morrison &amp; Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018

Individual Name

Madeline I. Johnston (Registration No. 36,174)

Signature

Date

January 2, 2003

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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Date of Deposit: January 3, 2003

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Tamara Alcaraz

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

pa-754925



Docket No. 341712003-001

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Tamara Alcaraz

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P#8  
1-15-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Nathaniel MILTON, et al.

Serial No.: 09/942,431

Filing Date: August 29, 2001

For: ECHINOCANDIN PHARMACEUTICAL  
FORMULATIONS CONTAINING  
MICELLE-FORMING SURFACTANTS

Examiner: To Be Assigned

Group Art Unit: 1614

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

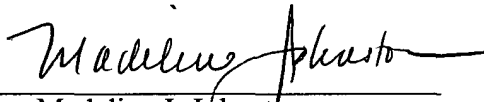
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 342312003601. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 2, 2003

Respectfully submitted,

By:   
\_\_\_\_\_  
Madeline I. Johnston  
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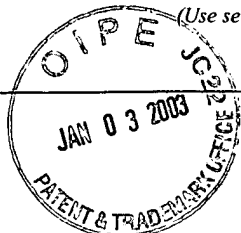
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Sheet 1 of 1

Form PTO-1449 <b>TECH CENTER</b> <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 342312003601	Application Number 09/942,431
	Applicant Nathaniel MILTON, et al.	
	Filing Date August 29, 2001	Group Art Unit 1614
	Mailing Date January 3, 2003	



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

## OTHER DOCUMENTS

*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	1.	Ibrahim, F. S. et al., (1995) "The Effect of pH, sugars and calcium ion concentration on the thermal stability of whey proteins" <i>Egyptian J. Dairy Sci.</i> 23:177-178.
	2.	Nail, S. L. and Gatlin, L. A. (1993) "Chapter 3: Freeze drying: Principles and practice" <i>Pharmaceutical Dosage Forms, Parenteral Medications, Volume 2, 2nd Edition</i> , edited by Kenneth, E. A. et al., Marcel Dekker, Inc., pp. 163-233.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.